

FILED

JUL 21 2006

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

SERGIO MEDINA-PEREZ,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 06-71090

Agency No. A75-690-694

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 17, 2006^{**}

Before: B. FLETCHER, HAWKINS and THOMAS, Circuit Judges.

Respondent's motion for summary disposition with respect to the denial of
the motion to reconsider is granted because the questions raised by this petition for

^{*} This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

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review are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Respondent's motion to dismiss this petition for review for lack of jurisdiction with respect to the denial of the motion to reopen is granted. *See Fernandez v. Gonzales*, 439 F.3d 592 (9th Cir. 2006).

All other pending motions are denied as moot. The temporary stay of removal and voluntary departure confirmed by Ninth Circuit General Order 6.4(c) and *Desta v. Ashcroft*, 365 F.3d 741 (9th Cir. 2004), shall continue in effect until issuance of the mandate.

PETITION FOR REVIEW DENIED IN PART, DISMISSED IN PART.